

## **AMENDMENTS TO THE DRAWINGS**

Please amend Figure 1 to remove features 38 and 39, which represent modified forms of construction, and direction arrow 8.

Please amend Figure 2 to remove the dashed features 24, 25, and 26, which represent a modified form of construction.

Please add Figure 11 with features 24, 25 and 26, to depict a modified form of construction relating to Figure 2.

Please add Figure 12 with features 38 and 39 to depict a modified form of construction relating to Figure 1.

The drawing amendments are described in the application as originally filed and discussed below. No new matter has been added. A replacement sheet is provided herewith.

## REMARKS / ARGUMENTS

### Priority

The Examiner comments on the summary page of the instant office action that none of the certified copies of the priority documents have been received. The Examiner further comments on page 3 of the instant office action that certain requirements relating to the priority documents have not been met.

Applicant respectfully disagrees.

On April 15, 2004, Applicant filed certified copies of the priority documents, which are viewable on PAIR.

During a teleconference between the Examiner and Applicant's Attorney on March 21, 2006, Applicant's Attorney explained that the priority documents filed with the USPTO on April 15, 2004, and viewable on PAIR, are indeed certified copies of the priority documents. As discussed, the priority documents viewable on PAIR show the serial number and corresponding file date on page 3 (hand written) and on page 5 (typed), and it is Applicant's understanding and belief that the certified copies from France are received at the USPTO with a brass rivet not a ribbon, the brass rivet being evidenced by the black dot in the upper left hand corner of the image viewable on PAIR. It is Applicant's further understanding and belief that the USPTO, once in possession of the certified priority documents, removes the brass rivet (or ribbon if present) to enable scanning of the documents for entry into the image file wrapper, which then becomes viewable on PAIR.

As such, Applicant submits that the priority documents filed April 15, 2004, are indeed the required certified priority documents, and that such documents do in fact include the associated serial number and file date of the foreign filed application. Accordingly, Applicant respectfully submits that the certified copy of the foreign application, as required by 35 U.S.C. 119(b) has been filed, and requests acknowledgment that all certified copies of the priority documents have been received, as evidenced by the documents already received and viewable on PAIR.

### Status of Claims

Claims 1-95 are pending in the application. Claims 1-60 stand rejected. Claims 61-95 have been withdrawn from consideration as being drawn to a nonelected invention. Applicant has amended Claims 1-3, 15-21, 28, and 38-60, cancelled Claim 91, and added new

Claim 96, leaving Claims 1-60 and Claim 96 for consideration upon entry of the present Amendment.

Applicant respectfully submits that the rejections under 35 U.S.C. §112, first paragraph, 35 U.S.C. §112, second paragraph, 35 U.S.C. §102(b), 35 U.S.C. §102(e), and 35 U.S.C. §103(a) have been traversed, that no new matter has been entered, and that the application is in condition for allowance.

### **Election/Restrictions**

Applicant appreciates the Examiners comments regarding a showing of burden, and that a search of Class 464, subclass 78 in connection with the examination of Claims 1-60, does not necessarily require a search of Class 72, subclass 362 in connection with the examination of Claims 61-95. However, in the event that the Examiner finds it appropriate to search Class 72, subclass 362, in connection with the examination of Claims 1-60, Applicant respectfully requests reinstatement of Claims 61-95, as the burden on the Examiner with regard to this election/restriction requirement would have been removed at the Examiner's own initiative.

### **Drawings**

The Examiner remarks that Figures 1 and 2 are objected to under 37 CFR 1.84(h)(5) because they show modified forms of construction in the same view.

Applicant has amended Figure 1 to remove features 38 and 39, which represent modified forms of construction, and direction arrow 8.

Applicant has amended Figure 2 to remove the dashed features 24, 25, and 26, which represent modified forms of construction.

Applicant has added Figure 11 to depict a modified form of construction relating to Figure 2. No new matter has been added, as antecedent support may be found in the original specification as Paragraph [0019].

Applicant has added Figure 12 to depict a modified form of construction relating to Figure 1. No new matter has been added, as antecedent support may be found in the original specification as Paragraph [0028].

### **Specification**

The Examiner remarks that the disclosure is objected to because at page 6, lines 29 & 30, the numeral “20” should be written as “twenty”. Applicant has made the requested amendment to Paragraph [0025].

Additionally, Applicant has corrected typographical errors discovered in the specification:

Paragraph [0014]: “structure 1” has been amended to read --structure 4--;

Paragraph [0023]: “diagonal” has been amended to read --diabolo--;

Paragraphs [0019] and [0028] have been properly amended to refer to new Figures 11 and 12 as described above.

### **Claim Objections**

The Examiner remarks that Claims 39-59 are objected to because the limitation “the another structure” should be rewritten in proper English. Applicant has amended Claims 39-59 to now recite “the fixed structure”, and to now recite “a second end of the shaft is disposed in a fixed structure”. Accordingly, Applicant respectfully requests reconsideration and withdrawal of this objection.

### **Rejections Under 35 U.S.C. §112, First Paragraph**

Claims 1-60 stand rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement.

The Examiner comments that the claims contain subject matter that was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Applicant traverses this rejection for the following reasons.

#### **Regarding Independent Claim 1**

The Examiner remarks that Claim 1, line 5 recites the limitation “the rotating member comprising a shaft”, but is taught in the specification that the shaft does not rotate.

Applicant has amended Claim 1 to now recite,

“A device for mounting a rotating member comprising:

a mounting structure;

a bore formed in the mounting structure;

a ring housed in the bore; and

a shaft, one end of the shaft inserted in the ring;  
wherein the ring comprises a diabolo shape, the diabolo shape comprising a set of inclined beams, the beams connected to a first crown of the ring and connected to a second crown of the ring.”

No new matter has been added, as antecedent support may be found in the specification at Paragraph [0014], and the claims as originally filed. Applicant submits that amended Claim 1 now properly correlates with the teaching of the specification.

Dependent claims inherit all of the limitations of the parent claim.

#### Regarding Claim 3

The Examiner remarks that Claim 3 recites the limitation “an inner diameter is less than an initial diameter”, however the specification teaches that the inner diameter is greater than the initial diameter.

The Examiner also remarks that Claim 3 recites the limitation “... the difference in curvature forming an elastic fit over the rotating member”, however the specification teaches that the difference in curvature forms the elastic fit over the shaft.

Applicant has amended Claim 3 to now recite,

“The device according to claim 2 wherein in response to insertion of the shaft into the ring, the hyperboloid shape has an inner diameter that is wider than an initial diameter of the hyperboloid shape before the insertion of the shaft, the difference in curvature forming an elastic fit over the shaft.”

No new material has been added as antecedent support may be found in the specification at Paragraph [0023] for example. Applicant submits that amended Claim 3 now properly correlates with the teaching of the specification.

#### Regarding Claims 38-48

The Examiner remarks that Claims 38-48 recite the limitation “the another structure being lighter ... the first structure”, however the specification teaches that the another structure is heavier, not lighter.

Applicant has amended Claims 38-48 to now recite, inter alia, “...the fixed structure being more massive... than the mounting structure”.

No new material has been added as antecedent support may be found in the specification at Paragraph [0014]. Applicant submits that amended Claims 38-48 now properly correlate with the teaching of the specification.

In view of the foregoing amendments, Applicant respectfully submits that the specification provides general guidelines as to the scope of the invention such that one of ordinary skill in the art would know what was meant, and that the subject matter of the invention has been described and is supported in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention, and therefore respectfully requests reconsideration and withdrawal of all rejections under 35 U.S.C. §112, first paragraph.

**Rejections Under 35 U.S.C. §112, Second Paragraph**

Claims 3, 5, 7, 13, 15-21, 23, 28, 30, 35, 36, 40, 46, 51, 57 & 60 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that Applicant regards as the invention.

Applicant traverses this rejection for the following reasons.

**Regarding Claim 3**

The Examiner remarks that Claim 3 recites the limitation, “less than an initial diameter” but does not identify the element whose diameter is “an initial diameter”.

Applicant has amended Claim 3 to now recite “an initial diameter of the hyperboloid shape before the insertion of the shaft...”

No new matter has been added as antecedent support may be found in the application as originally filed, such as at Paragraph [0023] for example.

**Regarding Claims 15-18 (Understood to be 15-21)**

The Examiner remarks that Claims 15-18 (understood to be 15-21) recite the nonsensical limitation “one diametrically opposite parts”.

Applicant has amended Claims 15-21 to now recite, inter alia,

“..wherein the hyperboloid structure is open along an aperture from the first crown to the second crown, the apertures in the first and second crowns being diametrically opposite each other.”

No new matter has been added as antecedent support may be found in the application as originally filed, such as at Paragraph [0026] for example.

**Regarding Claims 21 & 28**

The Examiner remarks that Claims 21 & 28 recite the limitation “the hyperboloid structure”, for which there is insufficient antecedent basis in the claims.

The Applicant has amended Claims 21 and 28 to now depend from Claim 12, thereby providing the requisite antecedent support.

Regarding Claims 21, 28, & 35

The Examiner remarks that Claims 21, 28, and 35 recite the limitation “the first and second crowns”, for which there is insufficient antecedent basis in the claims.

Claim 1 has now been amended to include the limitation of “the first and second crowns”, thereby resolving insufficient antecedent basis in the claims.

Regarding Claim 60

The Examiner rejects Claim 60 for reasons relating to the limitation “an anode”.

Applicant has amended Claims 1 and 60 to provide further clarity with regard to the anode. No new matter has been added as antecedent support may be found in the application as originally filed, such as at Paragraph [0014] for example.

Regarding Claims 5, 7, 13, 23, 30, 36, 40, 46, 51 and 57

The Examiner rejects Claims 5, 7, 13, 23, 30, 36, 40, 46, 51 and 57, but does not provide further reasons beyond those set forth above. In view of Claims 5, 7, 13, 23, 30, 36, 40, 46, 51 and 57, being dependent upon a rejected claim as set forth above, Applicant submits that the aforementioned amendments also apply to traverse the rejections of Claims 5, 7, 13, 23, 30, 36, 40, 46, 51 and 57.

In view of the foregoing amendments, Applicant respectfully submits that the claimed subject matter is described in such a manner that now particularly points out, and distinctly claims, the subject matter that the applicant regards as the invention. Accordingly, Applicant respectfully requests the Examiner to reconsider and withdraw all rejections under 35 U.S.C. §112, first paragraph, which Applicant considers to be traversed.

**Rejections Under 35 U.S.C. §102(b) and §102(e)**

Claim 1 is rejected under 35 U.S.C. §102(b) as being anticipated by Bossler (U.S. Patent No. 3,394,972, hereinafter Bossler).

Claim 1 is rejected under 35 U.S.C. §102(b) as being anticipated by Rongley (U.S. Patent No. 4,286,894, hereinafter Rongley).

Claim 1 is rejected under 35 U.S.C. §102(b) as being anticipated by Willem (U.S. Patent No. 4,130,926, hereinafter Willem).

Claims 1 & 60 are rejected under 35 U.S.C. §102(e) as being anticipated by Dahan et al. (U.S. Patent No. 6,888,923, hereinafter Dahan).

Applicant traverses these rejections for the following reasons.

Applicant respectfully submits that “[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, *in a single prior art reference.*” *Verdegaal Bros. V. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987) (emphasis added). Moreover, “[t]he identical invention must be shown in as complete detail as is contained in the \*\*\* claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Furthermore, the single source must disclose all of the claimed elements “arranged as in the claim.” *Structural Rubber Prods. Co. v. Park Rubber Co.*, 749 F.2d 707, 716, 223 U.S.P.Q. 1264, 1271 (Fed. Cir. 1984). Missing elements may not be supplied by the knowledge of one skilled in the art or the disclosure of another reference. *Titanium Metals Corp. v. Banner*, 778 F.2d 775, 780, 227 U.S.P.Q. 773, 777 (Fed. Cir. 1985).

Applicant has amended Claim 1 to incorporate a limitation from Claim 2. As such, Claim 1 now recites, inter alia,

“...the diabolo shape ***comprising a set of inclined beams, the beams connected to a first crown of the ring and connected to a second crown of the ring...***”.

No new matter has been added by these amendments as antecedent support may be found in the specification as originally filed, such as the claims as originally filed, for example.

Dependent claims inherit all of the limitations of the respective parent claim.

Regarding Bossler as applied against Claim 1

Applicant finds Bossler to disclose “...a very thin-walled sleeve 26 made of metal or other material capable of being elastically deformed...” (Bossler, Col 2, lines 65-67). However, in comparing Bossler with the claimed invention, Applicant submits that Bossler is absent disclosure of the claimed “...***diabolo shape comprising a set of inclined beams, the beams connected to a first crown of the ring and connected to a second crown of the ring...***”

Additionally, Applicant notes that Bossler was not applied against Claim 2 for purposes of anticipation, implying that Bossler lacks anticipatory disclosure of all elements of Claim 2, some of which now incorporated into Claim 1.

Accordingly, Applicant submits that Bossler does not disclose each and every claimed



element arranged as in the claim, and absent anticipatory disclosure in Bossler of each and every element of the claimed invention arranged as in the claim, Bossler cannot be anticipatory.

Regarding Rongley as applied against Claim 1

Applicant finds Rongley to disclose "...a metal strip of suitable resilience with side rims 16 and a row of circumferentially disposed spaced corrugations 17 struck or formed therebetween." (Rongley, Col 3, lines 9-12). However, in comparing Rongley with the claimed invention, Applicant submits that Rongley is absent disclosure of the claimed ***"...diabolo shape comprising a set of inclined beams, the beams connected to a first crown of the ring and connected to a second crown of the ring..."***

Additionally, Applicant notes that Rongley was not applied against Claim 2 for purposes of anticipation, implying that Rongley lacks anticipatory disclosure of all elements of Claim 2, some of which now incorporated into Claim 1.

Accordingly, Applicant submits that Rongley does not disclose each and every claimed element arranged as in the claim, and absent anticipatory disclosure in Rongley of each and every element of the claimed invention arranged as in the claim, Rongley cannot be anticipatory.

Regarding Willem as applied against Claim 1

Applicant finds Willem to disclose "...a rod anchoring structure comprising the steps of fitting the edge of a rod with a surrounding, double-ended wedge element having a neck from which flared ends of increasing cross-sectional area extend in both axial directions along the rod..." (Willem, Col 1, lines 29-33). However, in comparing Willem with the claimed invention, Applicant submits that Willem is absent disclosure of the claimed ***"...diabolo shape comprising a set of inclined beams, the beams connected to a first crown of the ring and connected to a second crown of the ring..."***

Additionally, Applicant notes that Willem was not applied against Claim 2 for purposes of anticipation, implying that Willem lacks anticipatory disclosure of all elements of Claim 2, some of which now incorporated into Claim 1.

Accordingly, Applicant submits that Willem does not disclose each and every claimed element arranged as in the claim, and absent anticipatory disclosure in Willem of each and every element of the claimed invention arranged as in the claim, Willem cannot be anticipatory.

**Regarding Dahan as applied against Claims 1 and 60**

Applicant finds Dahan to disclose "...a thin cylindrical wall 60, provided with longitudinal ribs 61, of which there are eight in this case, which project inwards from the cylindrical wall 60 thereby forming, on the external surface of the cylindrical wall 60, corresponding longitudinal grooves 63..." (Dahan, Col 5, lines 40-44). However, in comparing Dahan with the claimed invention, Applicant submits that Dahan is absent disclosure of the claimed "*...diabolo shape comprising a set of inclined beams, the beams connected to a first crown of the ring and connected to a second crown of the ring...*"

Additionally, Applicant notes that Dahan was not applied against Claim 2 for purposes of anticipation, implying that Dahan lacks anticipatory disclosure of all elements of Claim 2, some of which now incorporated into Claim 1. Claim 60 depends from Claim 1 and therefore inherits all of the limitations of the parent claim.

Accordingly, Applicant submits that Dahan does not disclose each and every claimed element arranged as in the claim, and absent anticipatory disclosure in Dahan of each and every element of the claimed invention arranged as in the claim, Dahan cannot be anticipatory.

In view of the foregoing amendment and remarks, Applicant submits that the foregoing references do not disclose each and every element of the claimed invention arranged as claimed and therefore cannot be anticipatory. Accordingly, Applicant respectfully submits that the Examiner's rejections under 35 U.S.C. §102(b) and 35 U.S.C. §102(e) have been traversed, and respectfully requests that the Examiner reconsider and withdraw these rejections.

**Rejections Under 35 U.S.C. §103(a)**

**Examiner's Paragraph 17**

Claim 49 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Willem (U.S. Patent No. 4,130,926, hereinafter Willem).

**Examiner's Paragraph 18**

Claim 49 stands rejected under 35 U.S.C. §103(a) as being unpatentable over any one of Bossler and Rongley for the same reason set forth above.

Examiner's Paragraph 19

Claims 1-14, 29-35, 49-56, 59 & 60, stand rejected under 35 U.S.C. §103(a) as being unpatentable over Starek (U.S. Patent No. 4,635,283, hereinafter Starek) in view of Wilhelm (U.S. Patent No. 1,833,145, hereinafter Wilhelm).

Examiner's Paragraph 20

Claims 15-28, 36, 37, 57, 58 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Starek in view of Wilhelm as applied to claims 1-14, 29-35, 49-56, 59 & 60 above, and further in view of Wilde (U.S. Patent No. 246,846, hereinafter Wilde).

Applicant traverses these rejections for the following reasons.

Applicant respectfully submits that the obviousness rejection based on the References is improper as the References fail to teach or suggest each and every element of the instant invention ***arranged in such a manner as to perform as the claimed invention performs***. For an obviousness rejection to be proper, the Examiner must meet the burden of establishing a prima facie case of obviousness. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988). The Examiner must meet the burden of establishing that all elements of the invention are taught or suggested in the prior art. MPEP §2143.03.

Applicant also respectfully submits that obviousness cannot be supported by a proposed modification that would ***render the prior art invention being modified unsatisfactory for its intended purpose***. *In re Gordon*, 221 USPQ 1125 (Fed. Cir. 1984); MPEP §2143.01.

Regarding Examiner's Paragraphs 17 and 18

The Examiner applies any one of Willem, Bossler and Rongley against Claim 49 for reasons relating to obviousness.

In view of Claim 49 being dependent upon Claim 1, which has been amended to incorporate limitations from Claim 2, and the fact that any one of Willem, Bossler and Rongley have not been applied against Claim 2, Applicant submits that any one of Willem, Bollser and Rongley fails to cure the deficiencies of the parent claim and therefore cannot be used to properly establish a prima facie case of obviousness against Claim 49. Accordingly, Applicant respectfully requests reconsideration and withdrawal of this rejection, which Applicant considers to be traversed.

Regarding Examiner's Paragraph 19

Claim 1 has been amended to now recite,

"A device for mounting a rotating member comprising:

a mounting structure;

a bore formed in the mounting structure;

a ring housed in the bore; and

a shaft, one end of the shaft inserted in the ring;

wherein the ring comprises a diabolo shape, the diabolo shape comprising a set of inclined beams, the beams connected to a first crown of the ring and connected to a second crown of the ring."

Dependent claims inherit all of the limitations of the parent claim.

As claimed, Applicant claims a device for mounting *a rotating member*, the device having specific geometry and features to allow for a desired rotation of the rotating member.

In alleging obviousness, the Examiner acknowledges that Starek is deficient in anticipating the claimed invention, and looks to Wilhelm to cure these deficiencies. The Examiner alleges, "At page 1, lines 12-14 and page 2, lines 38+, Wilhelm teaches that the ring 4 provides a connection that is mechanically excellent. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device of Starek by using rings like that of Wilhelm in order to provide a connection that is mechanically excellent as taught by Wilhelm." (Paper 20060123, page 9)

Applicant respectfully disagrees that Wilhelm cures the deficiencies of Starek, and submits that Starek as modified by Wilhelm will render Starek unsatisfactory for its intended purpose.

In comparing the modification of Starek by Wilhelm with the current invention, Applicant finds Starek to teach "The *internal walls of said elastic rings 32 are in contact with the external surface of the third, intermediate sleeve 21 along at least three straight lines and the external walls of said elastic rings 32 are in contact with the peripheral surface of the grooves 31 within the bore of the sleeve 17 of member 15 also in at least three straight lines*, which straight lines are located in planes different from the contact planes of the internal walls of the elastic rings 32 relative to the external surface of the supporting sleeve 21." (emphasis added) (Starek, column 3, lines 13-22). Further, Starek teaches, "Dynamic forces generated during rotation of unbalanced masses are dampened

by means of the corrugated elastic rings 32, by which, at the same time, the temperature gradient in the bearings 22 and 24 is reduced.” (Starek, column 4, lines 2-5).

Applicant finds Wilhelm to teach that the “...invention relate[s] to a *connector which may be secured to an ordinary binding post* and to which an electric wire may be quickly attached or detached. One of the principal objects of the invention is to provide a connector which will *tenaciously grip a rod or wire inserted therein* by spring action and yet provide adequate and large connecting area between said connector and rod, so that the connection will be both mechanically and electrically excellent.” (emphasis added) (Wilhelm, page 1, lines 4-14).

Applicant submits that the elastic rings with contact surfaces configured for both internal and external contact to dampen vibration and reduce thermal gradients, as taught by Starek, modified to have the quick release, tenacious internal gripping of an electrical connector, as taught by Wilhelm, would render the elastic rings taught by Starek unsatisfactory for their intended purpose (an internal and external contacting elastic ring modified to have a quick release, tenacious internal gripping of a connector would no longer serve the purpose of an internal and external contacting elastic ring configured to dampen vibration and reduce thermal gradients during rotary action) (replacing ring 8 of Starek with the tenacious gripping connector Figure 3 of Wilhelm will tenaciously grip the ball bearings of ball bearing 3 of Starek, thereby interfering with the ball bearing action of Starek ball bearing 3) (the tenacious gripping action of Wilhelm would interfere with the desired rotation of the rotating mass of Starek, thereby rendered Starek as modified unsuitable for use with a rotating mass).

Accordingly, Applicant submits that Wilhelm is absent any teaching, suggestion, or motivation to modify Starek for the purpose of arriving at the claimed invention while maintaining Starek to be satisfactory for its intended purpose. As such, Applicant submits that the modification of Starek by Wilhelm cannot be used to establish a prima facie case of obviousness.

In view of the foregoing, Applicant submits that the References fail to teach or suggest each and every element of the claimed invention, arranged in such a manner to perform as the claimed invention performs, and are therefore wholly inadequate in their teaching of the claimed invention as a whole, fail to motivate one skilled in the art to do what the patent Applicant has done as such a combination would render the prior art being modified unsatisfactory for its intended purpose, and therefore cannot properly be used to

establish a prima facie case of obviousness. Accordingly, Applicant respectfully requests reconsideration and withdrawal of all rejections under 35 U.S.C. §103(a), which Applicant considers to be traversed.

Regarding Examiner's Paragraph 20

In addition to applying Starek and Wilhelm against the claimed invention, the Examiner also applies Wilde, such that Starek is now modified by both Wilhelm and Wilde to allegedly render the claimed invention obvious.

Applicant respectfully disagrees.

As set forth above under the paragraph heading "Regarding Examiner's Paragraph 19", Applicant presents arguments to show that Starek as modified by Wilhelm would render Starek unsatisfactory for its intended purpose, and therefore the combination cannot properly be used to establish a prima facie case of obviousness.

Applicant submits that for at least the same reasons, Starek as modified by Wilhelm and Wilde would still render Starek unsatisfactory for its intended purpose, as the tenacious gripping of Wilhelm would still be present, and the modification offered by the teaching of Wilde does not cure the existence of tenacious gripping present in the modified Starek.

Accordingly, Applicant submits that Wilde is absent any teaching, suggestion, or motivation to modify Starek and Wilhelm for the purpose of arriving at the claimed invention while maintaining Starek to be satisfactory for its intended purpose. As such, Applicant submits that the modification of Starek by Wilhelm and Wilde cannot be used to establish a prima facie case of obviousness, and respectfully requests reconsideration and withdrawal of this rejection, which Applicant considers to be traversed.

In light of the forgoing, Applicant respectfully submits that the Examiner's rejections under 35 U.S.C. §112, first paragraph, 35 U.S.C. §112, second paragraph, 35 U.S.C. §102(b) and (e), and 35 U.S.C. §103(a), have been traversed, and respectfully requests that the Examiner reconsider and withdraw these rejections.

Regarding New Claim 96

Applicant has added new Claim 96, which depends from Claim 1. No new matter has been added, as antecedent support may be found in the application as originally filed, such as the originally filed claims, for example.

In view of the amendments and remarks set forth above regarding the allowability of Claim 1, Applicant submits that new Claim 96 is directed to allowable subject matter and respectfully requests entry and notice of allowance thereof.

The Commissioner is hereby authorized to charge any additional fees that may be required for this amendment, or credit any overpayment, to Deposit Account No. 50-2513.

In the event that an extension of time is required, or may be required in addition to that requested in a petition for extension of time, the Commissioner is requested to grant a petition for that extension of time that is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to the above-identified Deposit Account.

Respectfully submitted,  
CANTOR COLBURN LLP  
Applicant's Attorneys

By: 

David Arnold  
Registration No: 48,894  
Customer No. 23413

Address: 55 Griffin Road South, Bloomfield, Connecticut 06002  
Telephone: (860) 286-2929  
Fax: (860) 286-0115